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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/516,572

02/04/2005

Markku Kyytsonen

BERGPAT-7

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08/13/2007

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EXAMINER

NGUYEN, JIMMY T

ART UNIT

PAPER NUMBER

3725

MAIL DATE

DELIVERY MODE

08/13/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/516,572

Applicant(s)

KYYTSONEN, MARKKU

Examiner

Jimmy T. Nguyen

Art Unit

3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-17 and 21-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-11, 16, 17 and 21 is/are allowed.
- 6) ☒ Claim(s) 12-15 and 22-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 July 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 09, 2007 has been entered.

Specification

The proposed amendment filed on July 09, 2007 has been acknowledged and approved. The amendment sufficiently overcomes the disclosure informalities noted in the previous office action.

Drawings

The proposed drawing correction filed on July 09, 2007 has been acknowledged and approved. The drawing correction sufficiently overcomes the drawing objections noted in the previous Office action.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 26-28 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 26, lines 11-14, the specification does not provide support for a second set of rolls having “wherein the first roll and the last roll are polymer-coated rolls each having a casing which is movable with respect to a portion fixed to the first frame, and each having internal loading devices with which the casing is movable toward the second intermediate roll”. The original specification discloses that the first (3;31) and the last (3;32) rolls are heated smooth-surfaced chill rolls (see paragraph 29). The Examiner understood that the heated smooth-surfaced chill roll in the calendering art is not the type of roll having polymer-coated and movable casing. These heated smooth-surfaced chill roll is typically a hard roll. Additionally, the specification does not provide support for the second set of rolls as claimed in claim 26 in addition to a first set of rolls having the first roll and the last roll that are polymer-coated rolls as claimed in claim 9 because the specification also discloses the first (3;31) and last (3;32) rolls of the first set of rolls (2;21) are also heated smooth-surfaced chill rolls (see paragraph 29).

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The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 12-15, 22-23, and 27-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 12, lines 4-6, there is no antecedent basis for the limitation “the linear loads of the roll nips between the second intermediate roll and the last roll” in the claim.

Regarding claim 12, lines 6-8, there is no antecedent basis for the limitation “the linear loads of the roll nips between the second intermediate roll and the first” in the claim.

Regarding claim 22, lines 4-5, there is no antecedent basis for the limitation “the linear loads of the roll nips between the third intermediate roll and the last roll” in the claim.

Regarding claim 22, lines 6-7, there is no antecedent basis for the limitation “the linear loads of the roll nips between the third intermediate roll and the first” in the claim.

Regarding claim 27, lines 1-2, there is no antecedent basis for the limitation “the second frame” in the claim as it is depended upon claim 9. For the purpose of examination, claim 27 is treated as it is depended upon claim 26.

Regarding claim 28, lines 1-2, there is no antecedent basis for the limitation “the second frame” in the claim as it is depended upon claim 9. For the purpose of examination, claim 28 is treated as it is depended upon claim 26.

Allowable Subject Matter

Claims 9-11, 16-17, and 21 are allowed.

Claims 12-15, and 22-25 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Claim 9 is allowable because the art of record, considered alone or in combination, neither anticipates nor renders obvious a multi-nip calender comprising: *the first, the second, and the third intermediate rolls lack internal devices for loading and moving the rolls, wherein the second intermediate roll being rotatable about an axis which is fixed with respect to the frame,* in combination with the rest of the claimed limitations.

Claim 21 is allowable because the art of record, considered alone or in combination, neither anticipates nor renders obvious a multi-nip calender comprising: *the first, second, third, fourth, and fifth intermediate rolls lack internal devices for loading and moving the rolls, wherein the third intermediate roll is rigidly mounted to the frame,* in combination with the rest of the claimed limitations.

US 4,736,678 to Stotz and US 6,129,011 to Cramer, each discloses a multi-nip calender having an intermediate roller (see (12(2)) of Stotz and (6) of Cramer). These rollers are rotatable about an axis that is fixed with respect to the frame. However, these rollers are having internal devices. Stotz and Cramer do not suggest and disclose that the intermediate roller can be a type of roller that lacks internal devices for loading or moving the rolls. There is no reason to remove the internal devices from the intermediate roller and such would be impermissible hindsight. Therefore, Claims 9 and 21 contain allowable subject matter over Stotz and Cramer.

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US 6,305,280 to Beckers discloses a calender having a set of rolls, the set of rolls having two intermediate rolls (5 and 10) that are fixedly mounted on the frame (16). The first fixed intermediate roll (5) is positioned right under the first roll (4) that has internal loading device, and the second fixed intermediate roll (10) is positioned between another intermediate roll (i.e. 7) and the last roll (13) but the second fixed intermediate roll (10) is having internal device (see col. 5, line 57, i.e. "sag compensation"). There is no reason to remove the internal device from the second fixed intermediate roller and such would be impermissible hindsight. Therefore, Beckers fails to disclose the calender in a structural arrangement as claimed in claims 9 and 21.

Conclusion

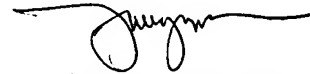
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy T. Nguyen whose telephone number is (571) 272-4520. The examiner can normally be reached on Monday-Thursday 7:30am-5:00pm with alternating Friday 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on (571) 272- 4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JTNguyen
July 13, 2007



Jimmy T. Nguyen
Patent Examiner
AU 3725

drawing approved
 JTN- 7/12/07

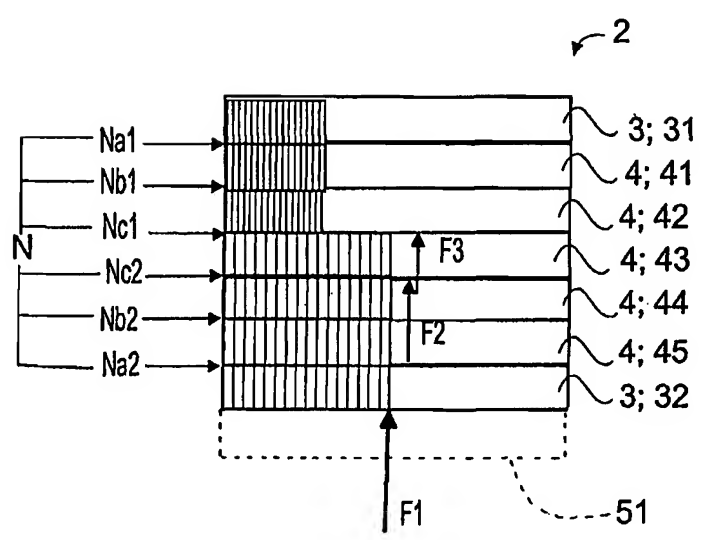


Fig. 2

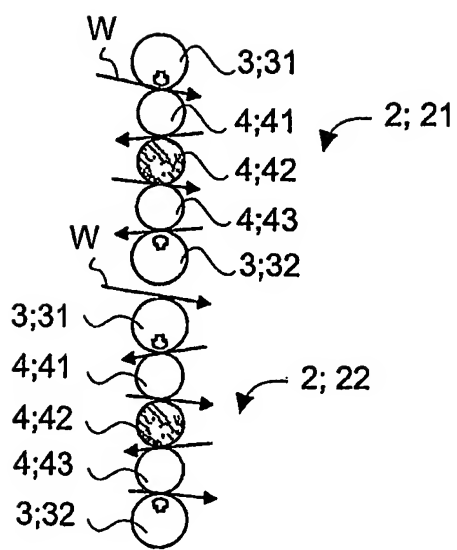


Fig. 3A

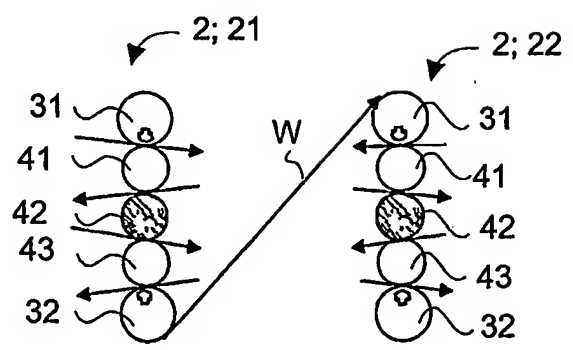


Fig. 3B